

Resource List

Prosecution of Youth as Adults

For the DOJ Indigent Defense Symposium

February, 2010

NATIONAL PUBLICATIONS

The following publications document the vast body of evidence finding that prosecuting youth in the adult criminal justice system leads to higher rates of recidivism, puts incarcerated and detained youth at unnecessary risk, has little deterrence value, and does not increase public safety.

Office of Juvenile Justice and Delinquency Prevention Bulletin (August 2008)

Juvenile Transfer Laws: An Effective Deterrent to Delinquency? Bulletin by Richard E. Redding confirms extensive research finding that transfer laws have had the unintended consequence of increasing, rather than decreasing, recidivism rates and suggests that any intended deterrent effect of these laws has been largely unsuccessful.

<http://www.ncjrs.gov/pdffiles1/ojjdp/220595.pdf>

Centers for Disease Control and Prevention (CDC) Report (November 2007)

Effects on Violence of Laws and Policies Facilitating the Transfer of Youth from the Juvenile to the Adult Justice System: A Report on Recommendations of the Task Force on Community Preventive Services. The independent, nonfederal Task Force on Community Preventive Service's review of published scientific evidence concerning the effectiveness of laws and policies that facilitate the transfer of juveniles to the adult criminal justice system. The report found that transfer to the adult criminal justice system typically increases rather than decreases rates of violence among transferred youth and recommends against laws or policies facilitating the transfer of juveniles to the adult criminal justice system for the purpose of reducing violence.

<http://www.cdc.gov/mmwr/PDF/rr/rr5609.pdf>

The Future of Children Brookings Institution Policy Brief (October 2008)

Keeping Adolescents Out of Prison. Policy brief by Laurence Steinberg and Ron Haskins cites research showing that harsh punishment in adult facilities increases the probability of future violent crimes and that programs for youth that provide systematic treatment in community and family settings significantly reduce future criminal behavior without the need for harsh sanctions. The brief recommends states should adapt their laws on juvenile crime to emphasize evidence-based treatment and to avoid harsh punishment for all but repeat violent offenders.

http://www.brookings.edu/papers/2008/fall_juvenile_justice_haskins.aspx

The Future of Children Juvenile Justice Report, Volume 18, No. 2 (October 2008)

Juvenile Crime and Criminal Justice: Resolving Border Disputes. Chapter by Jeffery Fagan on the impact of transfer laws in reducing crime. Fagan finds that rates of juvenile offending are not lower in states where it is more common to try adolescents as adults and juveniles who have been tried as adults are no less likely to re-offend than their juvenile counterparts. Fagan concludes that treating juveniles as adult criminals is not effective as a means of crime control.

http://www.futureofchildren.org/futureofchildren/publications/docs/18_02_05.pdf

Annie E. Casey Foundation Report (June 2008)

A Road Map for Juvenile Justice Reform. Essay included in the 2008 KIDS COUNT Data book summarized current trends in juvenile justice and makes the case for reforms that will keep youth safe, strengthen communities and reduce juvenile crime.

http://www.aecf.org/~/media/PublicationFiles/AEC180essay_booklet_MECH.pdf

Campaign for Youth Justice (CFYJ) Reports on Youth in the Adult Criminal Justice System:

- *America's Invisible Children: Latino Youth and the Failure of Justice* (May 2009)
CFYJ and the National Council of La Raza report on Latino youth in the justice system. In addition to providing the latest facts about Latino youth in the U.S. justice system, the report highlights promising solutions and policy recommendations to reduce the disparities.
http://cfyj.org/documents/CFYJPB_InvisibleChildren.pdf
- *Critical Condition: African-American Youth in the Justice System* (September 2008)
An examination of how African-American youth are disproportionately affected by transfer laws. Key findings include that most African-American youth are transferred by statutory exclusion or prosecutorial waiver mechanisms, many are not convicted (suggesting that the cases brought against them are not very strong), and that most youth prosecuted in the adult system are not serious violent offenders.
http://www.campaignforyouthjustice.org/documents/CFYJPB_CriticalCondition.pdf
- *Tangled Web: American Indian and Alaska Native Youth in Federal, State, and Tribal Justice Systems* (June 2008)
An examination of how Native American youth are disproportionately affected by transfer laws. Key findings include that many Native American youth commit low-level offenses and receive either no court intervention or disproportionately severe sanctions. Also examines the interaction of the tribal justice system with the state and federal justice systems and how that impacts youth transfer.
http://www.campaignforyouthjustice.org/documents/CFYJPB_TangledJustice.pdf
- *Jailing Juveniles: The Dangers of Incarcerating Youth in Adult Jails in America* (October 2007)
Provides a summary of the risks that youth face when incarcerated in adult jails and a review of the limited federal and state laws protecting them.
<http://www.campaign4youthjustice.org/Downloads/NationalReportsArticles/CFYJ-Jailing%20Juveniles%20Report%202007-11-15.pdf>
- *The Consequences Aren't Minor: The Impact of Trying Youth as Adults and Strategies for Reform* (March 2007)
The report presents research, statutory analysis, and case studies to highlight the problems with the policies and practices that treat young people as adults in the justice system in seven key states: California, Connecticut, Florida, Illinois, North Carolina, Virginia, and Wisconsin.
http://www.campaignforyouthjustice.org/documents/CFYJNR_ConsequencesMinor.pdf

FACT SHEETS

The following fact sheets from the CFYJ provide summary information on select national reports:

Fact Sheet: *Summary of the CDC Report*

http://www.campaignforyouthjustice.org/documents/CDCFS_YouthTransfer.pdf

Fact Sheet: *America's Invisible Children*

http://www.campaignforyouthjustice.org/documents/CFYJFS_InvisibleChildren_000.doc

Fact Sheet: *Critical Condition*

http://www.campaignforyouthjustice.org/documents/CFYJFS_CriticalCondition_000.pdf

Fact Sheet: *Jailing Juveniles*

http://www.campaignforyouthjustice.org/documents/CFYJFS_JailingJuveniles.pdf

STATE BY STATE INFORMATION

The following links provide information about state juvenile and criminal justice law and policy:

Summaries of state law and policy from the National Center for Juvenile Justice

<http://www.ncjj.org/stateprofiles>

Information and reports on state juvenile and criminal justice law and policy from CFYJ

<http://cfyj.org/state-by-state.html>

CFYJ reports on successful efforts to reduce the number of youth in the adult criminal justice system in select states

Connecticut: http://cfyj.org/documents/cfyjss_ct.pdf

Delaware: http://cfyj.org/documents/cfyjss_de.pdf

Illinois: http://cfyj.org/documents/cfyjss_il.pdf

CASE PROFILES PROJECT

Individual Stories from Youth Prosecuted in the Adult Criminal Justice System

Through the Case Profiles Project, CFYJ has gathered personal stories from youth prosecuted under 18 in the adult criminal justice system as well as their parents and families.

<http://cfyj.org/case-profiles.html>

Case Profile Outreach Flyer & Packet

Help CFYJ collect additional stories from youth prosecuted in the adult system and their families.

<http://cfyj.org/tell-us-your-story.html>

ADDITIONAL TOOLS & RESOURCES

CFYJ has compiled the following resources to help raise awareness and effect change to diminish the involvement of youth in the adult criminal justice system. You can find most of these ‘Take Action’ items at: <http://cfyj.org/advocacy-resource-center/campaign-tools.html>

- **Join the Movement “Action Kit”**

Coming soon!

- **Mother’s Day Toolkit**

This toolkit provides ideas and sample materials for connecting mothers and their children on Mother’s Day, engaging more mothers in your advocacy efforts, and raising awareness about this important issue.

http://campaignforyouthjustice.org/Downloads/start/2008_Mothers_Day_Toolkit.pdf

- **Holiday Toolkit**

This toolkit includes ideas for holiday projects that you can put together to reach out to incarcerated youth.

http://cfyj.org/documents/Holiday_Toolkit.pdf

- **House Party Kit**

This toolkit, assembled by the Connecticut Juvenile Justice Alliance, provides tips on hosting a house party to help educate others on the impact of prosecuting youth in the adult system.
<http://www.campaignforyouthjustice.org/Downloads/ParentTools/CTHousePartybooklet.pdf>

- **Legislative Guide**

The legislative guide shows how you can educate your legislators about important issues which they may have otherwise overlooked. Sample materials and templates make contacting your legislator easy and effective.

<http://www.campaignforyouthjustice.org/Downloads/start/LegislativeGuide.pdf>

- **Media Guide**

The Media Guide explains how you can work with news agencies to get your message into the spotlight. Planning media hits, writing media materials, pitching stories, and more are all covered in this comprehensive yet easy-to-understand manual.

<http://www.campaignforyouthjustice.org/documents/MediaGuide08.pdf>

- **“Childhood Interrupted” DVD**

Get your friends and family involved in youth justice with this great new tool. It’s a short DVD designed to get people thinking and spark discussion about the practice of trying youth in the adult system. Also included is a Discussion Guide, which can be used to further exchange about this important issue. For a free copy of this DVD, contact Jessica Sandoval at jsandoval@campaign4youthjustice.org

GET CONNECTED!

And stay connected with these on-line resources from CFYJ:

- **Website** - www.campaignforyouthjustice.org
- **Monthly Newsletter and Weekly News Roundup**
Get regular updates and comprehensive summaries on the latest news, research and resources. Sign-up at:
<http://visitor.constantcontact.com/manage/optin/ea?v=001JLLQ8jUAYdSgVXgbExAbXA%3D%3D>
- **“Juvenile Justice Matters” Radio Show**
Listen in to CFYJ’s weekly radio show on Thursday afternoons for stories about youth in the juvenile and criminal justice systems from across the country. To participate go to:
<http://cfyj.org/radio-show.html>
- **Check out** the Campaign's **YouTube** channel at <http://www.youtube.com/jjreform>
- **Follow** us on **Twitter** at <http://twitter.com/justiceforyouth>
- **Find** us on **Facebook**. Join the more than 1,600 group members on our Facebook page.
<http://www.facebook.com/profile.php?id=1410030729&ref=profile#/group.php?gid=22937084155>

Prepared by the Campaign for Youth Justice

The Campaign for Youth Justice (CFYJ) is a national organization dedicated to ending the practice of trying, sentencing, and incarcerating youth under the age of 18 in the adult criminal justice system.

www.campaignforyouthjustice.org